

Rec'd PCT/PTO 28 NOV 2005

Nov 28 2005 2:28PM HESSE & NESBITT

5132290683

P. 4

RECEIVED  
CENTRAL FAX CENTER

#6

NOV 28 2005

Attorney Docket No. CSU-001M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :  
Edwin LEPHART et al. : Confirmation No. 6027  
Serial No. 10/533,045 :  
Filed - 371 Submission on 04/28/05 :  
USE OF EQUOL FOR TREATING :  
ANDROGEN-MEDIATED :  
DISEASES

**SUBMISSION OF DECLARATION AND POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully submit herein a signed declaration for the above-identified national stage patent application filed on April 28, 2005 via submission under 35 USC 371. Applicants have not received a Filing Receipt or Notice to File Missing Parts.

Respectfully submitted,

FOR: E. LEPHART et al.

By

  
Daniel F. Nesbitt  
Attorney for Applicant(s)  
Registration No. 33,746  
(513) 229-0383  
Customer No. 38155

October 20, 2005

Rec'd PCT/PTO 28 NOV 2005

Nov 28 2005 2:28PM

HASSE & NESBITT

5132290683

P.5 #6

Page 1 of 2  
Attorney Docket No. CSU-001M

### DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below named inventor(s), I declare that:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Use of Equol for Treating Androgen-Mediated Diseases,

the specification of which:

is attached hereto, or  
X was filed on October 29, 2003 as PCT International Application Number  
PCT/US03/34441.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

#### Prior Foreign Application

Number	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached (Y/N)

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
✓ 60/422,469	10/29/2002

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C.F.R. Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
PCT/US03/34441	10/29/2003	pending

As a named inventor, I hereby appoint all practitioners associated with Customer Number 38155 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Send Correspondence to: CUSTOMER NUMBER 38155

Page 2 of 2  
Attorney Docket No. CSU-001M

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-CO Full name of sole or first inventor: Edwin Douglas Lephart

Signature: Edwin Douglas Lephart Date: 31 August 2005

Residence: 1702 N. Meadowlark, Orem, UT 84097 UT

Citizenship: US

Post Office Address: 1702 N. Meadowlark, Orem, UT 84097

Full name of second inventor, if any Trent D. Lund

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 1302 Tall Oaks Lane, Wheaton, IL 60187

Citizenship: US

Post Office Address: 1302 Tall Oaks Lane, Wheaton, IL 60187

Full name of third inventor, if any: Kenneth David Reginald Setchell

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 3849 Indianview Avenue, Cincinnati, OH 45227

Citizenship: UK

Post Office Address: 3849 Indianview Avenue, Cincinnati, OH 45227

Full name of fourth inventor, if any: Robert J. Handa

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 1132 Crestway Court, Fort Collins, CO 80526

Citizenship: US

Post Office Address: 1132 Crestway Court, Fort Collins, CO 80526

Page 1 of 2  
Attorney Docket No. CSU-001M

### DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below named inventor(s), I declare that:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Use of Equol for Treating Androgen-Mediated Diseases,

the specification of which:

is attached hereto, or  
 was filed on October 29, 2003 as PCT International Application Number  
PCT/US03/34441.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

#### Prior Foreign Application

Number	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached (Y/N)

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/422,469	10/29/2002

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C.F.R. Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
PCT/US03/34441	10/29/2003	pending

As a named inventor, I hereby appoint all practitioners associated with Customer Number 38155 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Send Correspondence to: CUSTOMER NUMBER 38155

Page 2 of 2  
Attorney Docket No. CSU-001M

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Edwin Douglas Lephart

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 1702 N. Meadowlark, Orem, UT 84097

Citizenship: US

Post Office Address: 1702 N. Meadowlark, Orem, UT 84097

2-8) Full name of second inventor, if any Trent D. Lund

Signature: \_\_\_\_\_ Date: 8-24-05

Residence: 1302 Tall Oaks Lane, Wheaton, IL 60187

Citizenship: US

Post Office Address: 1302 Tall Oaks Lane, Wheaton, IL 60187

Full name of third inventor, if any: Kenneth David Reginald Setchell

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 3849 Indianview Avenue, Cincinnati, OH 45227

Citizenship: UK

Post Office Address: 3849 Indianview Avenue, Cincinnati, OH 45227

Full name of fourth inventor, if any: Robert J. Handa

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 1132 Crestway Court, Fort Collins, CO 80526

Citizenship: US

Post Office Address: 1132 Crestway Court, Fort Collins, CO 80526

Page 1 of 2  
Attorney Docket No. CSU-001M

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below named inventor(s), I declare that:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Use of Equol for Treating Androgen-Mediated Diseases.

the specification of which:

is attached hereto, or  
 was filed on October 29, 2003 as PCT International Application Number  
PCT/US03/34441.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application

Number	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached (Y/N)

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/422,469	10/29/2002

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C.F.R. Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
PCT/US03/34441	10/29/2003	pending

As a named inventor, I hereby appoint all practitioners associated with Customer Number 38155 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Send Correspondence to: CUSTOMER NUMBER 38155

Page 2 of 2  
Attorney Docket No. CSU-001M

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Edwin Douglas Lephart

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 1702 N. Meadowlark, Orem, UT 84097

Citizenship: US

Post Office Address: 1702 N. Meadowlark, Orem, UT 84097

Full name of second inventor, if any Trent D. Lund

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 1302 Tall Oaks Lane, Wheaton, IL 60187

Citizenship: US

Post Office Address: 1302 Tall Oaks Lane, Wheaton, IL 60187

3-C  
Full name of third inventor, if any: Kenneth David Reginald Setchell

Signature: K. Setchell Date: 06/17/05

Residence: 3849 Indianview Avenue, Cincinnati, OH 45227 OH

Citizenship: UK

Post Office Address: 3849 Indianview Avenue, Cincinnati, OH 45227

Full name of fourth inventor, if any: Robert J. Handa

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 1132 Crestway Court, Fort Collins, CO 80526

Citizenship: US

Post Office Address: 1132 Crestway Court, Fort Collins, CO 80526

Page 1 of 2  
Attorney Docket No. CSU-001M

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below named inventor(s), I declare that:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Use of Equol for Treating Androgen-Mediated Diseases.

the specification of which:

is attached hereto, or  
 was filed on October 29, 2003 as PCT International Application Number  
PCT/US03/34441.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application

Number	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached (Y/N)

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/422,469	10/29/2002

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C.F.R. Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
PCT/US03/34441	10/29/2003	pending

As a named inventor, I hereby appoint all practitioners associated with Customer Number 38155 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Send Correspondence to: CUSTOMER NUMBER 38155

Page 2 of 2  
Attorney Docket No. CSU-001M

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Edwin Douglas Lephart

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 1702 N. Meadowlark, Orem, UT 84097

Citizenship: US

Post Office Address: 1702 N. Meadowlark, Orem, UT 84097

Full name of second inventor, if any Trent D. Lund

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 1302 Tall Oaks Lane, Wheaton, IL 60187

Citizenship: US

Post Office Address: 1302 Tall Oaks Lane, Wheaton, IL 60187

Full name of third inventor, if any: Kenneth David Reginald Setchell

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 3849 Indianview Avenue, Cincinnati, OH 45227

Citizenship: UK

Post Office Address: 3849 Indianview Avenue, Cincinnati, OH 45227

4-00 Full name of fourth inventor, if any: Robert J. Handa

Signature: Robert J. Handa Date: 8/22/05

Residence: 1132 Crestway Court, Fort Collins, CO 80526 CO

Citizenship: US

Post Office Address: 1132 Crestway Court, Fort Collins, CO 80526